

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q95455

Takashi YAMASHITA, et al.

Application No.: 10/585,693

Group Art Unit: 1632

Confirmation No.: 4348

Examiner: Unknown

Filed: July 10, 2006

For: TRANSGENIC BIRD AND METHOD OF CONSTRUCTING SAME

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

MAIL STOP MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Responsive to the "Notification of Defective Response", mailed April 24, 2007, attached herewith is a copy of our USPTO date-stamped filing receipt (December 13, 2006) as proof that Applicant met all the requirements to the Notice of Missing Parts of Application dated November 9, 2006 (which included the submission of the computer-readable form of the sequence listing). Accordingly, the Notification was issued in error and withdrawal of the Notification is requested, respectfully. Attached is a copy of the Notification of Defective Response.

Also, in the event the USPTO misplaced the originally filed CRF of the sequence listing, Applicant provides herewith a second copy of the sequence listing in written form and CRF and a Statement in accordance with 37 C.F.R. §§ 1.821-1.825.

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE
Application No. 10/585,693

Docket: Q95455

The Oath or Declaration filing date listed on the Notification is incorrect. The Oath or Declaration was filed December 13, 2006, not December 9, 2006. If necessary, correction of the Notification is requested, respectfully.

Respectfully submitted,

/Susan J. Mack/

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Susan J. Mack
Registration No. 30,951

Date: May 24 2007

63

FILING RECEIPT
PLEASE DATE STAMP AND RETURN TO US - BOX 235X

In re application of

Docket No: Q95455

Takashi YAMASHITA, et al.

Confirmation No.: 4348

Appln. No.: 10/585,693

Group Art Unit: unassigned

Filed: July 10, 2006

Examiner: unassigned

For: TRANSGENIC BIRD AND METHOD OF CONSTRUCTING SAME

PAPER(S) FILED ENTITLED:

1. Copy of the executed Declaration and Power of Attorney
2. RESPONSE TO NOTICE OF MISSING PARTS in duplicate (The USPTO is directed and authorized to charge for the statutory fee of \$130.00 to Deposit Account No. 19-4880.)
3. Copy of NOTICE OF MISSING PARTS
4. STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825
5. Substitute Sequence Listing in paper and electronic formats
6. Copy of the executed Assignment and PTO form in duplicate (The USPTO is directed and authorized to charge for the statutory fee of \$40.00 to Deposit Account No. 19-4880.)

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DOCKET NO.: Q95455
ATTORNEY/SEC: SJM/laj
Date Filed: December 13, 2006

WASHINGTON OFFICE

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CUSTOMER NUMBER





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/585,693	Takashi Yamashita	Q95455

INTERNATIONAL APPLICATION NO.

PCT/JP04/16438

I.A. FILING DATE	PRIORITY DATE
11/05/2004	01/08/2004

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 SUGHRUE MION, PLLC
 2100 PENNSYLVANIA AVENUE, N.W.
 SUITE 800
 WASHINGTON, DC 20037

DOCKETED
 APR 25 2007

CONFIRMATION NO. 4348

371 FORMALITIES LETTER



OC000000023504073

Date Mailed: 04/24/2007

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 07/10/2006
- English Translation of the IA filed on 07/10/2006
- Copy of the International Search Report filed on 07/10/2006
- Preliminary Amendments filed on 07/10/2006
- Information Disclosure Statements filed on 07/10/2006
- Oath or Declaration filed on 12/09/2006
- Biochemical Sequence Listing filed on 12/13/2006
- Request for Immediate Examination filed on 07/10/2006
- U.S. Basic National Fees filed on 07/10/2006
- Assignment filed on 12/09/2006
- Priority Documents filed on 07/10/2006
- Power of Attorney filed on 12/09/2006

Applicant's response filed 12/13/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 11/09/2006 have not been completed.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this

Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/585,693	PCT/JP04/16438	Q95455